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19 MCCARTHY, KELLY SCHROEDER, WILLIAM CLARK and JOHN WHITNEY

20
21 **UNITED STATES DISTRICT COURT**
22 **EASTERN DISTRICT OF CALIFORNIA**
23

24 **LATEACHEEAH G. ANDERSON**
25 **SALVATTO, and RICHARD SALVATTO,**
26 individually and as guardians for JAMAL
27 **THROWER, a minor**

Case No.: CIV S-04-0163 WBS GGH

28 Plaintiffs,

vs.

**AMENDED STIPULATION AND
PROPOSED ORDER MODIFYING
STATUS (Pre-Trial Scheduling) ORDER
AND TRIAL DATE**

COUNTY OF SOLANO, CITY OF VALLEJO,
COUNTY OF SOLANO SHERIFF'S
DEPARTMENT, LIEUTENANT LIDDICOET,
OFFICER K. MCCARTHY, VALLEJO POLICE
DEPARTMENT, WATCH COMMANDER K.
SCHROEDER, CORPORAL B. CLARK,
OFFICER WHITNEY,

Defendants.

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Plaintiffs LATEACHEEAH G. ANDERSON SALVATTO, RICHARD SALVATTO, and JAMAL THROWER, and Defendants CITY OF VALLEJO (erroneously also sued as VALLEJO POLICE DEPARTMENT) LIEUTENANT LIDDICOET, OFFICER K. MCCARTHY, WATCH COMMANDER K. SCHROEDER, CORPORAL B. CLARK and OFFICER WHITNEY (collectively "the parties"), by and through their undersigned counsel of record, hereby stipulate and agree that the Status (Pre-Trial Scheduling) Order dated April 9, 2004 should be modified. After discovery closed, the parties have engaged in good faith negotiations in hopes of resolving the matter via settlement. The parties agree that additional time is required that is both reasonable and necessary in order to allow the parties to continue settlement negotiations without incurring additional attorney fees and costs in preparing dispositive motions that may not likely be necessary should the parties reach settlement. Should a settlement not be achieved, the parties further agree that further proceedings, including Motion for Summary Judgment, Final Pre-Trial Conference, and Trial date should be extended to allow for the additional negotiations. Based thereon, the parties by and through their respective counsel, hereby stipulate and agree that the court's Status (Pre-Trial Scheduling) Order dated April 9, 2004 shall be modified by extending the dates as follows:

<u>Event</u>	<u>Old Date</u>	<u>New Date</u>
Trial	January 18, 2006	April 18, 2006 at 9:00 a.m.
Final Pre-trial Conference	November 7, 2005	January 17, 2006 at 10:00 a.m.
Dispositive Motion Filing Deadline	September 12, 2005	October 28, 2005

Dated: August 23, 2005 LAW OFFICES OF DONALD D. BEURY

By: /s/ Donald D. Beury
Donald D. Beury
Attorneys for Plaintiffs

1 Dated: August 23, 2005

PORTER, SCOTT, WEIBERG & DELEHANT
A Professional Corporation

3 By: /s/Terence J. Cassidy

Terence J. Cassidy

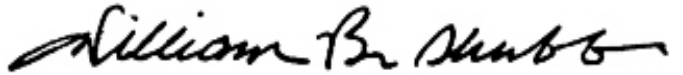
John R. Whitefleet

Attorneys for Defendants CITY OF VALLEJO,
THOMAS LIDDICOET, KEVIN MCCARTHY,
KELLY SCHROEDER, WILLIAM CLARK and
JOHN WHITNEY

8 **ORDER**

9 GOOD CAUSE APPEARING HEREIN. IT IS SO ORDERED.

11 DATED: August 24, 2005

12 

13 WILLIAM B. SHUBB

14 UNITED STATES DISTRICT JUDGE